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REPORT OF THE SECRETARY-GENERAL PURSUANT TO SECURITY COUNCIL RESOLUTION 1038 (1996)

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 1038 (1996) of 15 January 1996 and to the letter dated 14 March 1996 from the President of the Security Council (S/1996/191), in which the President notified me of the Council's request for a further report on the situation in the Prevlaka peninsula before the expiry of the current mandate. The Security Council requested that the issues referred to in paragraph 2 of resolution 1038 (1996) be addressed in that report.

2. The United Nations Mission of Observers in Prevlaka (UNMOP), established as an independent mission on 1 February 1996, consists of 28 United Nations military observers. The Mission is commanded by a Chief Military Observer, Colonel Göran Gunnarsson of Sweden. Its current mandate expires on 15 July 1996.

3. In accordance with resolution 1038 (1996), UNMOP continues to monitor the demilitarization of the Prevlaka peninsula by carrying out daily foot and vehicle patrols on both sides of the border between the Republic of Croatia and the Federal Republic of Yugoslavia. The Chief Military Observer and his Deputy hold meetings at Zagreb and Belgrade and in the Prevlaka area in order to promote confidence among the parties, improve the safety of the United Nations military observers, prevent incidents and reduce tensions. Cooperation between UNMOP and the multinational implementation force (IFOR) is maintained through regular meetings.

II. THE SITUATION IN THE PREVLAKA PENINSULA

4. The situation in the Prevlaka area has improved during the current reporting period. In paragraph 7 of my last report to the Council (S/1996/180) I referred to two mined areas on the Croatian side of the "blue zone" that were threatening the safety and seriously restricting the movement of the military observers. Since then, and as a result of negotiations with UNMOP, the Croatian army has cleared one of the mined areas at the shore-line next to the road

leading to UNMOP Headquarters at Prevlaka. The remaining mined area within the zone has yet to be cleared. An agreement has also been reached between Croatian authorities and UNMOP that has resulted in the lifting of the partial restriction of movement imposed on the United Nations military observers on the coastal road. However, there is a continued presence within the "blue zone" of Croatian military-type positions manned by special police as well as a Federal Republic of Yugoslavia checkpoint.

5. As regards the situation in the remainder of the demilitarized zone (the "yellow zone"), Croatian heavy weapons have been withdrawn from those areas which UNMOP has been permitted to patrol and Croatian military personnel have been replaced by special police. Federal Republic of Yugoslavia heavy weapons have also been withdrawn from their former positions but UNMOP has been unable to confirm whether they have been withdrawn completely from the zone. However, the permanent restriction of movement previously imposed in the northern part of the zone has eased, following negotiations between UNMOP and the authorities of the Federal Republic of Yugoslavia. United Nations military observers, upon notification, are now able to patrol the eastern part of the area.

6. Field defence fortifications manned by Croatian special police in the "yellow zone" remain unchanged since my last report and Federal Republic of Yugoslavia military units are deployed along the border. In addition, mines laid by both sides in the area have not been cleared. The deployment of forces and heavy weapons in the areas adjacent to the demilitarized zone creates the risk of an escalation of tension in the area.

7. Against this backdrop, UNMOP presented to the parties in early May a number of suggestions for improving safety and security in the area of the Prevlaka peninsula. The purpose of these suggestions was to provide the parties with options and procedures that would enable them to move from their present defensive military deployment to a normal border-security stance. While the parties have not yet fully adopted the suggested procedures, they have indicated that they coincide with their own views of how to diminish tensions in the region.

III. OBSERVATIONS

8. The withdrawal of Croatian military personnel and the partial removal of mines in the United Nations-controlled zone on the Croatian side of the border, together with the withdrawal of heavy weapons and the easing of restrictions of movement on both sides of the border, are positive developments. It is hoped that the parties, having taken these first steps towards normalization of the situation in Prevlaka, will adopt the practical options proposed by UNMOP to reduce tension further and to promote an atmosphere conducive to the restoration of the full economic and tourist potential of the area.

9. In considering the future of the UNMOP operation, it should be borne in mind that, after nearly five years of stalemate, tension and conflict, positive steps have at last been taken to decrease tension in the region. UNMOP has made and continues to make an important contribution to stability in the Prevlaka

area, promoting a better climate for bilateral negotiations between the Republic of Croatia and the Federal Republic of Yugoslavia.

10. While the UNMOP presence in Prevlaka cannot continue indefinitely, I believe that if it were to be removed at this stage, one or other party could seek to fill the vacuum created by its departure and the ensuing military tensions could prejudice the process of the two sides' political negotiations on their mutual relations. I urge the parties to continue to accelerate their negotiations and to normalize fully their bilateral relations, which are critical for the establishment of peace and stability throughout the region.

11. In discussions with my Chief Military Observer, both Governments have requested the continuation of the UNMOP mandate. Given that no other international or regional organization, including the Organization for Security and Cooperation in Europe (OSCE) and the European Community Monitoring Mission (ECMM), has expressed a willingness to undertake full-time monitoring of the area, I recommend that the UNMOP mandate should be extended for a period of three months, until 15 October 1996, pending the outcome of the negotiations between the parties. An addendum to the present report will be issued with details of the financial implications of this recommendation.